UNITED STATES DISTRICT COURT WESTERN DISTRICT OF TEXAS SAN ANTONIO DIVISION

AVERY B. CRAWFORD,
#02214933,

Plaintiff,

v.

S

CIVIL NO.

BEXAR COUNTY SHERIFF'S DEPUTY
JOSE HERNANDEZ,

Defendant.

Defendant.

AMENDED ORDER APPOINTING COUNSEL

On July 31, 2019, after having construed Defendant, Hernandez's Motion to Dismiss [#49] as a Motion for Summary Judgment, the Court entered an Order denying both Defendant Hernandez's Motion for Summary Judgment [# 49] and Plaintiff, Crawford's Motion for Summary Judgment [# 69]. As discussed in the Court's Order [#74], disputed issues of material fact preclude summary judgment on Plaintiff's Fourteenth Amendment excessive force claim against Defendant Hernandez in his individual capacity. To ensure this case timely proceeds to trial and upon the request of Plaintiff, the court appoints counsel to represent Plaintiff in this matter.

It is therefore **ORDERED** that the Motion for Appointment of Counsel, filed by Plaintiff on September 16, 2019 [#76], is **GRANTED**.

It is further **ORDERED** that Thomas M. Melsheimer (Email: tmelsheimer@winston.com) of Winston & Strawn LLP, 2121 N. Pearl Street, Suite 900, Dallas, Texas 75201, Phone: 214-453-6500, is appointed to represent Plaintiff Avery B. Crawford in this cause.

It is finally **ORDERED** that the parties shall submit a joint proposed scheduling order on or before October 30, 2019.

SIGNED this 19th day of September, 2019.

ELIZABETH S. ("BETSY") CHESTNEY UNITED STATES MAGISTRATE JUDGE